

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KEHINDE BALOGUN,

Plaintiff,

Case No. 18-CV-301

v.

THE BOARD OF REGENTS OF THE
UNIVERSITY OF WISCONSIN SYSTEM,
KEVIN CHEREK and BOBBY BURROW,

Defendants.

**DEFENDANTS' OBJECTIONS TO PLAINTIFF'S
DEPOSITION DESIGNATIONS (DKT. 67)**

The Defendants object to Plaintiff's deposition designations under Federal Rule of Civil Procedure 32. Balogun seeks to enter deposition testimony from defendants and witnesses, all of whom will be present to testify at the trial in this case. The Court should require Balgoun's attorneys to ask the live witnesses the questions to obtain the testimony they seek to introduce from the depositions and hearing transcripts. In the event the testimony is inconsistent, the transcripts may be used to impeach the witnesses.

In the alternative, the Defendants request that the deposition/transcript testimony offered be presented in non-transcript form in accordance with Fed. R. Civ. Pro. 32(c), which provides: "On any party's request, deposition testimony offered in a jury trial for any purpose other than impeachment must be presented in

nontranscript form, if available, unless the court for good cause orders otherwise.” Because all witnesses will be available and will testify in this case, the Defendants propose that Plaintiff’s counsel read the exact question and the witnesses read the exact answer, rather than introducing the transcript as an exhibit.

Dated this 22nd day of July, 2019.

Respectfully submitted,

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